

UNITED STATES DISTRICT COURT

for

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jan 08, 2021

SEAN F. McAVOY, CLERK

U.S.A. vs. Ramirez, Juanita Docket No. 0980 1:19CR02058-SMJ-4

Petition for No Action on Conditions of Pretrial Release

COMES NOW Linda J. Leavitt, PRETRIAL SERVICES OFFICER presenting an official report upon the conduct of defendant Juanita Ramirez, who was placed under pretrial release supervision by the Honorable U.S. Magistrate Judge Mary K. Dimke sitting in the court at Yakima, Washington, on the 9th day of December 2019, under the following conditions:

Standard Condition #9: Defendant shall refrain from use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner in conformance with Federal law. Defendant may not use or possess marijuana, regardless of whether Defendant has been authorized medical marijuana under state law.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

Violation #1: Ms. Ramirez is alleged to be in violation of her pretrial release conditions by consuming methamphetamine between December 20 and December 29, 2021.

On December 6, 2019, Ms. Ramirez was released, and Your Honor imposed pretrial release conditions pending a detention hearing to be held on December 9, 2019, (See ECF. 34). These conditions were reviewed and signed by Ms. Ramirez on December 6, 2019. On December 9, 2019, a detention hearing was held and final conditions of release were ordered. Ms. Ramirez again acknowledged an understanding of her requirements while under pretrial release, to include standard condition number 9 (See ECF. 41).

On December 22, 2020, this officer received notification that Ms. Ramirez had law enforcement contact dated December 21, 2020, in Pendleton, Oregon/Umatilla County. This officer contacted the Umatilla County Sheriff's Office who advised Ms. Ramirez was the passenger in a vehicle during a traffic stop at 2:09 a.m. on December 21, 2020. This officer then made contact with Ms. Ramirez who admitted she was in Pendleton, Oregon, at the Wildhorse Resort and Casino with a male acquaintance. Ms. Ramirez admitted she left her home on Monday, December 21, 2020, traveled to the Tri Cities, Washington, area and then traveled to Pendleton, Oregon, with her acquaintance. Ms. Ramirez also admitted she relapsed and consumed methamphetamine on or between Sunday, December 20, and Monday, December 21, 2020. She stated she had found the methamphetamine in an old purse and "due to being stressed out" about her pending cases, she said "fuck it" and decided to use. Per Ms. Ramirez, on Monday, December 21, 2020, she became worried about her relapse and "did not know what to do" so she called her acquaintance in the Tri Cities for support. She shared she drove to the Tri Cities, and then they decided to drive to the casino in Pendleton, Oregon, for the night.

Due to the above-noted relapse, on December 23, 2020, Ms. Ramirez attended a staffing with her chemical dependency provider and the clinical supervisor at Merit Resource Services (Merit) in Sunnyside, Washington, and was referred to inpatient treatment. According to Ms. Ramirez and Merit staff, Ms. Ramirez stated she did not agree with the recommendation and was not going to enter inpatient treatment.

On December 28, 2020, this officer made telephone contact with the clinical supervisor at Merit, who confirmed the above information, including additional noncompliance incidents in treatment since December 2, 2020. This officer then made telephone contact with Ms. Ramirez to discuss her relapse and entering inpatient treatment. Ms. Ramirez was crying and stated she was not going to go to inpatient treatment as she felt Merit was being "unfair" due to this being her first relapse while in services with Merit. Based on the conversation and Ms. Ramirez' behavior, this officer directed her to go to Merit

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within 2 hours to submit a random urine sample. At that time, Ms. Ramirez admitted to this officer she was going to be "dirty" as she had continued to use methamphetamine. Ms. Ramirez was still directed to submit the urine sample at Merit which tested presumptive positive for methamphetamine. The urine sample was sent to Alere Toxicology Services for testing. Results were received on December 30, 2020, confirming a positive reading for methamphetamine.

On December 29, 2020, this officer made telephone contact with Ms. Ramirez again to talk about her relapse and inpatient treatment recommendation. During the conversation, this officer observed Ms. Ramirez was slurring her words. This officer confronted Ms. Ramirez about this. She shared she left her home at 1 a.m. to get milk and donuts from the store and she was "tired." She advised she was also pulled over for speeding, but did not receive a ticket. Due to Ms. Ramirez admitting to leaving her home at 1 a.m. and slurring her words, this officer asked her when the last time was she consumed methamphetamine. Ms. Ramirez admitted she consumed methamphetamine on December 28, 2020.

PRAYING THAT THE COURT WILL ORDER NO ACTION AT THIS TIME

I declare under the penalty of perjury
that the foregoing is true and correct.

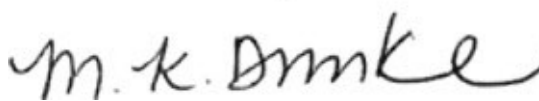

Executed on: 01/08/2021

by s/Linda J. Leavitt

Linda J. Leavitt
U.S. Pretrial Services Officer

THE COURT ORDERS

- ☒ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☐ Defendant to appear before the Magistrate Judge.
- ☐ Other

Signature of Judicial Officer

1/8/2021

Date